HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
& HON'BLE SHRI D.R. DESHMUKH, J.

Misc. Appeal NO. 1115 OF 2005

Appellant Claimant		Mayaram Chaturvedi, aged about 29 years, S/o Shri Sadaram Chaturvedi, Occupation – Agriculturist, R/o Village Sundarvan, Police Station – Palari, Tahsil – Balodabazar, District – Raipur (C.G.)
		Vs.
RESPONDENTS Non-Claimants	1.	Uttam Kumar Janghel aged about 25 years, S/o Shri Kunwarsingh Janghel, Occupation Driver of Swaraj Majda, R/o Pahadi, Lodhipara, Near Janghel Health Club, Police Station – Gudhiyari City, Tahsil & Dist.-Raipur (C.G.)
	2.	Ketan Gandhi, aged about 35 years, S/o Late Mohanlal Gandhi, Occupation Registered owner of Swaraj Majda, R/o – Gudhiyari, infront of Padava Hanuman Mandir, Police Station – Gudhiyari, City, Tahsil & Dist-Raipur (C.G.)
	3.	The Oriental Insurance Company Limited, Through Divisional Manager, Divisional Office, Kutchery Chowk, Raipur, District – Raipur (C.G.)

Present : Mr. Shivendu Pandya, learned counsel for the appellant.

ORAL ORDER

(Passed on 3rd January, 2006)

The following order of the Court was passed by

S.R. NAYAK, CJ.

In a personal injury case, the appellant not being satisfied with the compensation awarded by the MACT, has preferred this appeal for more

compensation. It was contended by learned counsel for the appellant that due to accident, the appellant has sustained grievous physical injuries resulting in permanent impairment of his body and therefore, he could not carry on his normal avocation and therefore, what is awarded by the MACT is totally inadequate and unreasonable and requires to be enhanced. We do not find any merit in the above contention. Although, that is the claim of the appellant, the fact remains that the appellant has not examined the doctor nor has he produced wound certificate or disability certificate. In the absence of medical evidence to show that the appellant has sustained any permanent disability, the Tribunal has awarded compensation towards pain and suffering and the actual expenditure incurred by him towards treatment. We do not find any merit in the appeal and it is accordingly dismissed. There shall be no order as to costs.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge